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*Attorneys for Defendants*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TETSUYA NAKAMURA, an individual,

Plaintiff,

v.

SUNDAY GROUP INCORPORATED, a  
Delaware corporation, *et al.*,

Defendants.

Case No.: 2:22-cv-01324-MMD-EJY

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING TIME TO  
RESPOND TO COMPLAINT AND  
BRIEFING SCHEDULE ON MOTION  
TO DISMISS (FIRST REQUEST)**

Plaintiff Tetsuya Nakamura and Defendants Sunday Group Incorporated, SGI Trust, Toshiki (Todd) Mitsuishi and James Pack (collectively, “Defendants”), by and through counsel, hereby stipulate as follows:

WHEREAS, the above-captioned action was filed on August 15, 2022;

WHEREAS, Defendants each accepted service of the Complaint in this action (the “Complaint”) pursuant to waivers of service of summons on August 26, 2022;

WHEREAS, Defendants’ response to the Complaint is currently due on October 25, 2022;

WHEREAS, Defendants have indicated to Plaintiff that they intend to move to dismiss the Complaint;

WHEREAS, the parties now having conferred on scheduling matters have agreed to a schedule for Defendants’ contemplated motion to dismiss, to accommodate various scheduling conflicts and holiday schedules;

WHEREAS, this is the first stipulation for extension of time to respond to Defendants’ Complaint;

**IT IS ACCORDINGLY STIPULATED**, pursuant to Civil L.R. 6-1 and 6-2, by and between the undersigned counsel for the parties, that:

- i. The deadline for Defendants to move, answer, or otherwise respond to Plaintiff’s Complaint is November 1, 2022;
- ii. In the event Defendants move to dismiss the Complaint, Plaintiff shall file any opposition to Defendants’ motion(s) no later than December 2, 2022;
- iii. In the event Defendants move to dismiss the amended complaint, Defendants shall file any replies to Plaintiff’s opposition(s) to the motion(s) to dismiss no later than December 23, 2022.

Dated: October 31, 2022

**FENWICK & WEST LLP**

By: /s/Felix S. Lee

Felix S. Lee  
Christopher J. Steskal  
Casey O’Neill  
Claire Mena

*and*

**FENNEMORE CRAIG, P.C.**

By: /s/John D. Tennert III

John D. Tennert III (Nevada Bar No. 11728)

Wade Beavers (Nevada Bar No. 13451)

Attorneys for Plaintiff  
TETSUYA NAKAMURA

Dated: October 31, 2022

**CLYDE SNOW & SESSIONS LLP**

By: /s/Thomas A. Brady

Thomas A. Brady  
Timothy R. Pack  
Keith M. Woodwell

*and*

**SF FIRM, LLP**

By: /s/Mark L. Smith

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Jacob L. Fannesbeck (Nevada Bar #11961)

Attorneys for Defendants  
SUNDAY GROUP INCORPORATED,  
SGI TRUST, TOSHIKI (TODD) MITSUISHI  
AND JAMES PACK

**ORDER**

IT IS SO ORDERED:

THE HONORABLE ELAYNA J. YOUCHAH  
UNITED STATES MAGISTRATE JUDGE

DATED: \_\_\_\_\_